

IN THE CLAIMS

Please cancel claims 24 and 35, and amend claims 1, 19, 22, 23, 31, 33 and 34, as indicated in the following list of pending claims:

PENDING CLAIMS

1. (Currently Amended) A treatment process for a tissue specimen disposed in surrounding tissue comprising:
 - a. providing a treatment device having an elongated shaft with longitudinal axis, a distal end, an operational portion on a distal shaft portion proximal to the distal end, a tissue cutting member at the operational portion extending longitudinally along a length thereof aligned with the longitudinal axis and a tissue damager at the operational portion within the length of the operational portion;
 - b. isolating the tissue specimen from the surrounding tissue by at least partially severing the tissue specimen from the surrounding tissue with the tissue cutting member by rotating the tissue cutter at least partially around the longitudinal axis;
 - c. damaging the isolated tissue specimen with the tissue damager while the specimen remains at the operational portion of the shaft.
- 2 - 18. (Cancelled)
19. (Currently Amended) A process for separating a tissue specimen from surrounding tissue within a patient, comprising:

- a. separating the tissue specimen from surrounding tissue at an intracorporeal site within a patient;
 - b. encapsulating the separated tissue specimen at the site; and
 - c. damaging the separated tissue specimen at the site.
20. (Previously Presented) The process of claim 19, wherein the tissue specimen is damaged after encapsulation.
21. (Cancelled)
22. (Currently Amended) The process of claim 1, wherein the tissue cutting member is ~~an electrosurgical~~ a radio frequency powered tissue cutting element.
23. (Currently Amended) The process of claim 22, wherein the ~~electrosurgical~~ tissue cutting element is an arcuate cutting member.
24. (Cancelled)
25. (Previously Presented) The process of claim 19, wherein the separated tissue specimen is damaged by the application thereto of radio frequency energy.
26. (Previously Presented) The process of claim 19, wherein the separated tissue specimen is damaged by ionizing radiation.
27. (Previously Presented) The process of claim 19, wherein the separated tissue specimen is damaged by morcellation.
28. (Previously Presented) The process of claim 19, wherein the separated tissue specimen is damaged by raising the temperature of the specimen.

29. (Previously Presented) The process of claim 19, wherein the separated tissue specimen is damaged by applying a damaging chemical by the tissue specimen.

30. (Previously Presented) A device for separating a tissue specimen from surrounding tissue within a patient, comprising:

- a. an elongated shaft having a proximal portion and a distal portion;
- b. a tissue cutting element on the distal portion for separating a tissue specimen from surrounding tissue;
- c. a tissue encapsulation system on the distal portion to encapsulate the separated specimen; and
- d. a tissue specimen damager disposed at the distal portion.

31. (Currently Amended) The device of claim 30, wherein the tissue cutting element is an electrosurgical tissue cutting element configured to be electrically connected to a radio frequency source.

32. (Previously Presented) The device of claim 31, wherein the tissue cutting element is configured to be radially extendable to an outwardly bowed position.

33. (Currently amended) The device of claim ~~[[33]]~~30, wherein the tissue specimen damager is configured to be electrically connected to a radio frequency generation source.

34. (Currently amended) The device of claim ~~[[33]]~~30, wherein the tissue specimen damager comprises an ionizing radiation director.

35. (Cancelled)

36. (Previously Presented) The device of claim 30, wherein the tissue specimen damager comprises a thermal treatment system.

37. (Previously Presented) The treatment device of claim 30, wherein the tissue specimen damager comprises a chemical introduction system.

38. (Previously Presented) The treatment device of claim 37, wherein the chemical introduction system includes a source of a tissue-damaging chemical.

39. (Previously Presented) The treatment device of claim 37, wherein the tissue damaging chemical is selected from the group consisting of ethanol, sotradechol, acids, bases, photoreactive agents and mixtures thereof.